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July 31, 2002

**Enzo Biochem, Inc.**

527 Madison Avenue  
New York, NY 10022  
212.583.0100  
fax: 212.583.0150

**BY HAND DELIVERY**

Examiner Alex Spiegler  
United States Patent & Trademark Office  
Crystal Mall One  
1911 South Clark Place Street  
Arlington, VA 22202

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AUG 06 2002

Attention: 7th Floor Reception - Group Art Unit 1656

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Re: U.S. Patent Application Serial No. 08/479,997  
Filed: June 7, 1995  
Inventors: Dean L. Englehardt et al.  
For: OLIGO- OR POLYNUCLEOTIDES COMPRISING PHOSPHATE MOIETY  
LABELED NUCLEOTIDES  
Our Reference: Enz-5(D6)(C2)

Dear Examiner Spiegler:

Thank you for your telephone call last month.

Just to confirm, since the issuance of the November 26, 2001 Office Action, we filed three papers in the above-identified application as follows:

1. May 28, 2002 Reply Under 37 C.F.R. §1.111 (In Response To The November 26, 2001 Office Action);
2. May 28, 2002 Third Supplemental Information Disclosure Statement; &
3. June 27, 2002 Supplemental Response To Applicants' May 28, 2002 Reply Under 37 C.F.R. §1.111.

In our May 28, 2002 Reply, we submitted the Declaration of Dr. Charles W. Parker. Twenty-nine (29) documents were submitted as exhibits to the May 28, 2002 Third Supplemental IDS. The Declaration of Alexander A. Waldrop, III was submitted in our June 27, 2002 Supplemental Response.

For your information, we have enclosed a copy of the title pages of these papers, including the two Declarations.

Please do not hesitate to contact us if you have any questions or comments, or if any further information is required. Thank you.

Cordially,

Ronald C. Fedus

Corporation and Patent Counsel

Enclosures

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Engelhardt et al.  
Serial No.: 08/479,997  
Filed: June 7, 1995  
For: OLIGO- OR POLYNUCLEOTIDES COMPRISING  
PHOSPHATE MOIETY LABELED NUCLEOTIDES)  
(As Previously Amended)

Group Art Unit: 1656  
Examiner: Alexander H. Spiegler

**COPY**

527 Madison Avenue (9<sup>th</sup> Fl)  
New York, New York 10022  
May 28, 2002

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**FILED BY EXPRESS MAIL**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**REPLY UNDER 37 C.F.R. §1.111**  
**(IN RESPONSE TO THE NOVEMBER 26, 2001 OFFICE ACTION)**

Dear Sirs:

This is a response (Reply Under 37 C.F.R. §1.111) to the November 26, 2001 Office Action issued in connection with the above-identified application. A response to the November 26, 2001 Office Action was originally due on February 26, 2002. This response (Reply Under 37 C.F.R. §1.111) is accompanied by a Request For An Extension Of Time (3 Months) and authorization for the fee therefor. Upon the expected granting of the Extension Request, the new response deadline is May 26, 2002. Because May 26, 2002 falls on a Sunday, under 37 C.F.R. §1.7, a response filed on the next succeeding day which is not a Saturday, Sunday or a Federal holiday is considered timely filed. Accordingly, this response (Reply Under 37 C.F.R. §1.111) is being timely filed.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Engelhardt et al.

Serial No.: 08/479,997

Filed: June 7, 1995

For: OLIGO- OR POLYNUCLEOTIDES  
 COMPRISING PHOSPHATE MOIETY  
 LABELED NUCLEOTIDES  
 (As Previously Amended)

Group Art Unit: 1656

Ex'r: Alexander H. Spiegler

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St. Louis, Missouri 63124

Assistant Commissioner for Patents  
 Washington, D.C. 20231

**DECLARATION OF DR. CHARLES W. PARKER**

I, Charles W. Parker, hereby declare as follows:

1. I am presently Professor *Emeritus* of Medicine, Department of Microbiology and Immunology at Washington University School of Medicine (WUSM), St. Louis, Missouri, having held that position since 1997. I am also Associate Physician at Barnes Hospital, also in St. Louis, Missouri. Prior to my present position at WUSM, I was Professor of Medicine there from 1971-1997. Overlapping with my position as Professor of Medicine, I was Professor of Microbiology, Immunology and Molecular Biology from 1975-1997. Within that same period of time (1977-1989), I was a full investigator of the Howard Hughes Medical Institute which funded me at Washington University for immunologic studies. From 1968 to 1971, I was Associate Professor of Medicine (WUSM). Before that, from 1963 to 1968, I was Assistant Professor of Medicine (WUSM). Earlier, from 1962 to 1988, I was the Head, Division of Allergy and Immunology (WUSM). From 1960 to 1963, I was